

GALE Newsletter Fall 2007

Newsletter of the GALE Special Interest Group (SIG)
of the Japan Association for Language Teaching (JALT)
<http://www.tokyoprogressive.org.uk/gale/>



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Editor's Comments

Autumn has been an eventful time with many GALE members, attending the Gender and Beyond Conference from October 6-7 in Osaka, with special guest Janet Holmes. Some GALE members also attended the Kyoto Peace as a Global Language Conference, and at least one managed to sneak across to a simultaneously held Mock United Nations Conference to act as Gender Advisor for groups of students devising over-seas development assistance programmes.

Personally, I was unable to attend any conferences due to moving house and breaking my hand, so I apologise for not being more active. Fortunately we have plenty of reading, with both informative feedback and interesting creative contributions, in this issue.

The first three pieces included refer to Gender and Beyond Conference presentations. (For abstracts of all presenters please go to our web page). The first article is a summary of Janet Holmes' Plenary Lecture by Andrea Simon-Maeda. Then we have an outline of Folake Abass on notions of beauty and their effect on working women, from Bonnie Carpenter. This is followed by a comprehensive report of the closing panel of our GALE conference by Kathy Riley. As feedback from the MUN conference, we have a report from Yoko Chase about her experience as a facilitator of gender awareness.

In our featured essays section, Jane Joritz-Nakagawa has reviewed two fascinating woman's poetry anthologies in a creative composite review, using quotes from the respective books. Reading this draws together many seemingly disparate but recurrent feminist themes. Also of note; since last newsletter, Jane Joritz-Nakagawa instigated a writers conference, described briefly in this edition, at which another member Paul Arenson publicized his new CD. See Member News after the main feature articles for details. There has certainly been a lot happening!

Then, from Ayano Fukui, we have an essay reflecting upon language acquisition and resulting changes in identity, which includes an interview with language-collage lyricist zopp. She suggests that, in many ways, we can transcend language-imposed cultural and gender identities, to create ourselves as warmly communicative, open-minded humans.

Finally, Tina Ottman brings us a report and reflections based upon prominent lawyer and feminist Catherine MacKinnon's recent Kyoto University Symposium speech. This includes MacKinnon's views on the comparative effectiveness of International Law and Laws of State (i.e. laws of separate countries) in ensuring gender equality.

I hope you enjoy the diverse interests and talents of our members showcased in this issue. Perhaps we will have a chance to meet at JALT2007 at the GALE presentation at 15.35 on Friday the 23rd November in room 303 and at the following GALE SIG Annual General Meeting. Or we could chat at our GALE special breakfast meeting, where you will most likely meet guest Arifa, the JALT Asian Scholar. Please be in touch with Kathy Riley for details.

(Just a short note of apology to authors; if I changed American spelling to Australian spelling during the spell check, please forgive me. Please blame it upon temporary possession by a rebellious spirit!)

Janet Holmes' Plenary Lecture at TUJ-Osaka, Oct. 6, 2007

Summary by Andrea Simon-Maeda

After some opening remarks by Salem Hicks and Andrea Simon-Maeda, Prof. Holmes began her lecture titled, "Gender and leadership: Some socio-pragmatic considerations." The audience (approximately 50) listened attentively to what was a very enlightening presentation of how "the gender order" operates in New Zealand workplaces. Specifically, through the use of data segments from a longitudinal study of the discursive behaviour of men and women in work situations, Prof. Holmes focused in on how women in positions of power are caught in a "double bind." That is to say, due to a sexist work environment, a female leader must often conform to stereotypical masculine language and behaviour in order to be successful, at the same time that she runs the risk of being labelled a domineering "battle axe."

Prof. Holmes noted that in Japanese work contexts as well, women might find it difficult to attain top roles in society where successful leaders are expected to follow discursive norms (intonation, pitch, etc.) that are oftentimes at odds with the characteristics of female speech. Despite the growing appearance of women in leadership positions in the corporate sphere, women are still under-represented due to both overt and covert gender discrimination practices. Sociolinguists are particularly interested in documenting the discursive behaviour that prevents women from achieving and maintaining leadership positions.

Prof. Holmes then described the "Language in the Workplace" project <http://www.vuw.ac.nz/lals/lwp> at Victoria University of Wellington. A voluminous data base compiled from a variety of workplaces (e.g., factories, government organizations, IT companies) is being analysed in order to identify features of effective workplace communication, such as problem solving skills, collaboration, "social talk," humour, decision-making, etc. The researchers are particularly interested in the different ways that women leaders deal with the double bind they are faced with and ways of resisting sexism in the workplace, for example: conforming to masculinist norms, working in a woman-friendly community of practice (see description of CofP in Blake Hayes' interview with Janet Holmes in the August, 2007 issue of *The Language Teacher*), integrating authoritarian with relational discourse, and challenging masculinist norms.

While women may deploy all of these different strategies depending on the work situation, it appears that a combination of *transactional/authoritarian* (getting things done) and *relational* (nurturing social relations) styles can enhance a woman's effective leadership capabilities. This is carried out when women adopt a social role (labelled "Mother," "Queen," etc. in the discourse data) that is acceptable among co-workers. These two roles combine authoritative and relational styles involving the use of humour and compliments together with imperative forms that make one's position explicit and direct.

To sum up the lecture, Prof. Holmes explained that traditional analyses of male/female workplace discourse, wherein an androgynous speaking style was assumed to be the acceptable style of effective leaders, did not match the findings of her Language in the Workplace project. Instead, her study's participants displayed both stereotypical masculine, authoritative strategies that were oftentimes mitigated with more relational, typically "feminine" discourse strategies. The important point is that these discursive strategies and social roles are not static but rather fluid styles of "doing

power” that both men and women can avail themselves of in the workplace. In this way, inequitable power relations become troubled and, more importantly, women can adopt new ways of coping with outdated stereotypes that restrict leadership positions to men.

Another point that Prof. Holmes stressed in her concluding remarks is that current gender and language research is focusing less on detailed analyses of *variation* in speech patterns due to gender, class, age, etc. and more on *generalizations* of women’s ways of speaking and coping with marginalisation processes. As Prof. Holmes stated, generalizations have the analytical power to show how women are still being discriminated against as a group and how there are similar patterns of coping strategies across different workplace contexts that women can avail themselves of in order to compete on a more equal footing with their male counterparts.

During the lively question and answer period, attendees brought up a number of interesting points such as how “powerful” women such as Margaret Thatcher, Oprah Winfrey, Martha Stuart, and Hillary Clinton are portrayed in the media in ways that either conform to or go against prevalent cultural norms for appropriate speech and behaviour of a female leader. Prof. Holmes also mentioned that the findings of her research have important implications for migrant professionals or factory workers who need to familiarize themselves with workplace linguistic behaviour of their host country. Needless to say, our EFL learners, both female and male, also need to become socio-pragmatically attuned to ways of adapting to a foreign culture with its own particular linguistic and social rules for entry into the public sphere of mainstream L1 society.

In sum, Prof. Holmes’ plenary lecture was a great prelude to the stimulating presentations on Sunday at Kansai University.

Women in the Workplace: An Advertiser’s Perspective

By Bonnie Carpenter

Delivered by Flake Abases, this particular seminar addressed a quite diverse and difficult range of topics: beauty (or what is considered by mainstream companies to be the ideal), race (Caucasian beauty ideals applied to black models) and even that one topic approaching us all: age. How are women depicted in the mass media when we start to sprout grey hair and crow’s feet? In short, get OLDER and become less BEAUTIFUL?

Abass stated that beauty is widely institutionalised as a condition for women’s hiring. The more one strives for power and the upper levels of management, the more aware one becomes of having to maintain appearances. Maintaining beauty through surgery or botox injections are sacrifices women make to remain in power and competitive.

Abass spoke quite ironically about having a high price tag to maintain a *beautiful look* and noted tongue in cheek, how advertisers play up to our NEED for SPEED. Products offered results in two weeks; others got it down to 5 days; other companies even promised INSTANT beauty if you used their product right now.

Finally, Dove's Pro-Age campaign for natural, aging, less than perfect models of all colours, ages and sizes in their advertising, gave us hope for the future that the first step toward acknowledging beauty in all forms of women has been taken in the media.

Closing Panel TUJ-Osaka, Oct. 6, 2007: Good ideas to take home and ponder

By Kathy Riley

Discourse analysis and the empowerment of immigrant workers in New Zealand; the continuing struggles of working women in Japan; and the myths of gender and technology: the closing panel of the Beyond Gender conference was so rich in information. Here's what I learned from Janet Holmes, Shizuko Koedo, and Blake Hayes.

Ms. Koedo, who represented the Working Women's Network, talked about her group's evolution since their 2004 court victory in the Sumitomo case. Remember that case? It was a landmark for the women of Sumitomo Industries and Japan—women who had been victimized by the two-track hiring system entrenched for a long time in this country. Several years after a lower court setback, the plaintiffs finally won compensation and promotions; however, the real value was in the encouragement it gave to women in Japan to continue the struggle.¹

Koedo talked about the follow-up to that case, how the Working Women's Network (WWN) organized women in September, 2007, to go to the U.S. to lobby the UN and the International Labor Organization for support in ending discrimination.

Meanwhile, in Japan, the WWN is holding symposia and educating women about the issues involved in winning equal pay for work of equal value, the focus of their campaign now. Koedo's talk reminded me of the necessity of grassroots organizing to create the skills necessary for such a complex struggle in this continually-changing society. Newspaper headlines come and go, but struggles remain. Celebrated victories lead to new challenges and new opportunities.

Focusing on the myths of computer use by women and men, Blake Hayes offered several research-supported facts: First, when considering whether the genders differ in ability, we need to consider the fact that men often overestimate their ability while women underestimate theirs, leading to different perceptions of actual ability. Another myth is the belief that women are chat room users far more than men are. However, surveys show that men now dominate chat rooms, as the number of female users has dropped due to harassment.

Several other myths were dispelled as well, but one that often plagues many of us was not: the belief that little gremlins live inside our computers, causing periodic glitches. At one point during Hayes' presentation, an unidentified computer sound filled the room, and despite attentive efforts to find the cause, the mystery remained unsolved.

¹ For a discussion of the Sumitomo case, consult the excellent article, "Taking on the System" by Catherine Whyte in *The Kyoto Journal*, No. 64: "Unbound: Gender in Asia", published in 2006.

Nevertheless, Hayes pressed on, focusing on her key points: that there is something called a “male computing culture”, valuing competitiveness, exclusion and speed, which creates an unwelcoming environment for women and men who don’t fit into it. This situation is unfortunate given that while the number of women in IT is dropping, the number of available IT jobs is growing.

Hayes argued that institutional support in schools and universities is essential for closing the gap. Carnegie Mellon University is one positive example. They hired women teachers—and students, both female and male, benefited.

Finally, GALE’s special guest, Janet Holmes closed the panel. Holmes, whose excellent Friday night presentation is covered elsewhere in this newsletter, discussed two important socio-pragmatic aspects of communication in workplaces. She focused on L2 learners who are in management positions or hope to be. What do they need?

First, they need to “express a wide range of speech functions accurately”. They must be able to maintain good relationships with workers, offer positive feedback, give directives, resolve disagreements, give criticism and refuse requests. Second, they must do all of this while negotiating through gender norms and stereotypes.

Holmes asserted that discourse analysis is extremely useful in developing learners’ socio-pragmatic competence. She showed several transcripts of interactions in which workplace leaders had succeeded in achieving successful communication with co-workers.

On the other hand, she said, ESOL texts are usually very inadequate. Real-world discourse examples are necessary because competence is not just a matter of learning polite dialogs. Rather it means helping learners “be who they want to be.”

Judging by their attention and applause, an appreciative audience in Osaka seemed to recognize that phrase as the essence of what language teaching is all about.

A Report on Being a Gender Advisor the MUN at Kyoto University

By Yoko Chase

The MUN at Kyoto University of Foreign Studies Model United Nations is perhaps one of the most comprehensive, inspiring, educational endeavours in which I have ever participated. It involves not only a lot of students’ preparation and hard work but also the willing participation of faculty and office workers.

As soon as I stepped into the building where the first MUN was held at Kyoto University of Foreign Studies, I could sense the pleasant tension and excitement, particularly of the students there. It was an unprecedented fun and learning opportunity for me to be able to participate in the MUN as a gender awareness advisor while at the same time participating in the PGL conference.

Such an opportunity to meet so many fantastic NGO leaders in one setting is hard to come by. I was thrilled to sit together and talk with “real” world leaders of agriculture, human rights organizations, and what not. Of course, of most importance were opportunities to talk with the student delegates who seemed really engaged in discussions and in their action plan making.

Since I myself had not been mentally and physically very well prepared, having learned of the opportunity at the last minute, I regret I didn’t talk to as many students as I should have. However, the presentations by other advisors from the “real” NGO

organizations, especially those given by the four representatives from the Rural Asia Institute, were very gender conscious. I was pleased to witness a few students actually asking them for advice.

I ventured into one committee room and asked students about their action plan. The students looked so engaged in their work that I did not want to interrupt their discussions most of the time. When I found a group having a break, I stepped in and asked about their plan. It seemed the students I approached had not been able to include gender perspective in their action plan. I gave an example of the serious gender problems in the area they were working on. To my surprise, one student said he had not known of such problems. So, I was glad I had this opportunity.

I did not dare to interrupt their sessions, nor did I have a chance to see other action plans made by other student groups. But I know they have acquired a high degree of gender awareness through the weekend activities.

I overheard some of the students talking about the “global atmosphere” on their campus with happy excitement. One hardly ever has such an intellectually and spiritually exhilarating educational moment in one’s pedagogical life. I hope the MUN will be continued and spread worldwide.

UPCOMING CONFERENCE INFORMATION

JALT Conference News Item

Are you attending the JALT annual conference Nov. 22—25? If so, don't miss the GALE-sponsored discussion with Dr. Arifa Rahman, the 2007 JALTAsian scholar . Dr. Rahman is a professor of English Language and Teacher Education at Dhaka University in Bangladesh. She will join GALE members and friends for an informal breakfast discussion about gender awareness in EFL materials. The discussion will take place at an on-site restaurant at the conference center (National Olympics Memorial Youth Center) in Tokyo. The event is tentatively scheduled for Saturday, Nov. 24. Stop by the GALE table at the conference for details, or email Kathy Riley <rileykb@gol.com>. If possible, please sign up in advance so we have an idea of numbers. Thanks!

GALE presentations will be from 15.35-17.10 in room 303 on Friday Nov.23 . The annual general meeting will follow at 17.20-17.45.

Please contact Jackie Beebe for Friday evening party details jbeebe@gol.com

GALE SIG Annual General Meeting AGM

Time: 5:20 - 6:20 Room 303

GALE party: 7:30 p.m. until 11 at the home of a GALE member in the Shimokitazawa area.

SATURDAY, NOV. 24:

BREAKFAST DISCUSSION with Dr. Arifa Rahman (JALT Asian scholar)

Time: 7:30 a.m. to 9 a.m. Café Fuji, 2nd floor, Central Building

Join GALE members for an informal discussion about gender and EFL. Café Fuji: 7:30 a.m. to 9 a.m. *Please sign up in advance.*

Learning English, globalization and identities. Presentation by Yoko Sabatini. 6:30 to 6:55 p.m., Room 507

SUNDAY, NOV. 25:

Challenging gender difference claims in listening. Presentation by R. Gregg McNabb. 9:50 to 10:15 a.m., Room 303

Pedagogical reflections on a Judith Butler lecture. Presentation by Robert O'Mochain. 10:25 to 10:50 a.m, Room 303

IGALA CONFERENCE

Wellington, New Zealand, 3-5 July 2008

KEYNOTE SPEAKERS

- Dale Spender (Australian author & feminist)
- Anne Pauwels (University of Western Australia)
- Rachel McKee (Victoria University of Wellington)
- Surinderpal Kaur (University of Malaya)
- Carmen Caldas-Coulthard (University of Birmingham)

The 5th International Gender and Language Association biennial conference will provide researchers worldwide with an opportunity to present their work and share ideas in the fields of language, gender, and sexuality.

Note that this conference is immediately preceded at the same venue by the Laboratory Phonology 11 conference ([LabPhon11](#)), 30 June-2 July 2008

The IGALA5 Conference will include :

- plenaries on gender and language change, multimodalities, transversal subjects, and sign language
- a workshop on teaching Language & Gender courses
- a workshop focussed on postgraduate interests & concerns
- a symposium on indigenous languages and gender issues
- a phonetics and gender symposium
- a “beyond binaries” stream [language use outside the female/male/heterosexual/homosexual square]

Conference organisers:

Janet Holmes & Meredith Marra

School of Linguistics and Applied Language Studies
Victoria University
Wellington
NEW ZEALAND
For enquiries please e-mail igala5@vuw.ac.nz

GALE Member News

GALE members Diane Nagatomo, Thomas Hardy, Jane Joritz-Nakagawa, Kathy Riley and Paul Arenson participated in the First Annual Japan Writers Conference (<http://www.viversimples.ezhoster.com/>) in mid-October, 2007.

Diane Nagatomo led a presentation under the title: "Fair Gender Representation in EFL Textbooks: Developing Materials is Not as Simple as you Might Think".

Thomas Hardy presented on a panel along with Todd Jay Leonard and Don Maybin to discuss cultural issues in Japanese high school student English textbooks.

Jane Joritz-Nakagawa, author of the books SKIN MUSEUM (2006) and AQUILINE (2007) (info@printedmatterpress.com) led a guided discussion about poems which protest gender and "racial" inequality and war. Jane's interview with Cynthia Hogue and Elisabeth Frost (see also the article CRAYON OUTSIDE THE LINES included in this issue of the GALE newsletter) is forthcoming in the online Australian literary magazine JACKET (<http://jacketmagazine.com/00/home.shtml>); her essay MODERN PASTORALS will appear this autumn in the Ecofeminism/Ecopoetics issue of the women's experimental online literary journal HOW2 (<http://www.asu.edu/piperwcenter/how2journal/intro.htm>) edited by British poet Harriet Tarlo. A review of Skin Museum can be read online at: <http://metropolis.co.jp/tokyo/664/books.asp> and a review of Aquiline at: <http://blog.myspace.com/index.cfm?fuseaction=blog.view&friendID=121462071&blogID=325096791>.

Paul Arenson showcased his new music CD TOFU SPAGHETTI (<http://cdbaby.com/cd/paularenson>) which features song lyrics dealing with themes of civil disobedience, anti-imperialism, anti-violence, anti-patriarchy and renewal, a number being allegorical. The Good Ship England, for example, is as much about Billy Budd and plunder as it is about the Vietnam war, as it is about rape, as it is about genocide, as it is about refusal to carry out immoral orders.

To learn about the 2008 writers conference, which brings together writers throughout Japan, visit <http://www.viversimples.ezhoster.com/>

Feminist Theatre Requests Contacts

The Guerrilla Girls, a New York-based feminist theater company is coming to Japan in late January. They are willing to perform, work with performers, talk with feminists--very flexible. Anyone interested? Below is contact information for them, as well as their webpage which talks about their art, tours to college campuses, etc.

www.guerrillagirlsontour.com -or- www.myspace.com/guerrillagirisontour
212 252-3610

"No one characterizes the humor and humanity of the women's movement better than Guerrilla Girls On Tour!" -- Gloria Steinem, March, 2003

CRAYON OUTSIDE THE LINES

By Jane Joritz-Nakagawa

Poetic Epistemologies: Gender and Knowing in Women's Language-Oriented Writing

Megan Simpson

State University of New York Press, 2000

222 pp.

ISBN 0 7914 4446 5

Innovative Women Poets: An Anthology of Contemporary Poetry and Interviews

Elisabeth A. Frost and Cynthia Hogue (Eds.)

University of Iowa Press, 2006

424 pp.

ISBN-10: 1 58729 507 5

ISBN-13: 978 1 58729 507 2

In *Poetic Epistemologies: Gender and Knowing in Women's Language-Oriented Writing*, Simpson discusses the work of twelve American female writers, four from earlier in the 20th century --H.D., Riding, Stein and Loy --about whom she says:

Rather than attempting to reassert logocentric control over a reality fragmented by the social and political upheavals of the early part of the century as well as contemporary developments in the disciplines of science, psychology and philosophy...these women modernists tested the limits of language, form, and genre in order to investigate the role that language plays in knowing, and in the cultural construction and validation of certain forms of knowledge. Writing was for each of them an open process, an active engagement with language, in which the reader is invited to participate fully (Simpson, p. 23).

An excerpt from a poem by Loy:

As your indisputable male voice roared
Through my brain and my body
Arguing dynamic decomposition
Of which I was understanding nothing

about which Simpson comments:

Loy suggests that that what is normally valued as knowledge--abstract thought and the contentious assertion

of the theories such thought produces--is also normally
thought of as the special domain of men (Simpson p. 55).

Simpson notes (quoting Susan Stanford Friedman) that modernist women writers were distrustful of political activism (in the usual sense of the word), yet explored the sociopolitical relations of the self in relation to others, "the power structures underlying the personal" (see Simpson, p. 77).

The eight contemporary female poets whose work is discussed by Simpson are Lyn Hejinian, Beverly Dahlen, Lori Lubeski, Laura Moriarty, Susan Howe, Leslie Scalapino, Mei-mei Berssenbrugge, and Carla Harryman.

Dahlen has written:

There will never be time to write all the sentences one may have been capable of writing, even about one subject. take a subject, anything, it is so simple, but the sentence is notched, can view the relationship from any one of a number (the number is infinite) of stances. where would you like to stand to view this one. any sentence is merely an example. it shows what might be done. a sentence is a model, in no way permanent, of thought.

(quoted in Simpson, p. 89)

By Moriarty:

Undefined as we
Only a word easily used
To mean both
What it means and what
It could mean much
More than it does
Undefined as it is

(quoted in Simpson, p. 112)

Howe is quoted, from an interview:

I think there is a truth, even it's not fashionable to say so anymore. . . . I believe with Walter Benjamin that the story is in danger of being lost the minute someone opens one's mouth to speak; but you've got to open your mouth to speak, and there *is* a story, and it's probably going to be lost anyway, but whatever that story is, whether you call it fact or fiction, or an original version, it's something real (in Simpson, p. 165).

Simpson comments:

It seems that Susan Howe rides the rift between empiricism and textuality, sharing the empiricist's interest in material details, but remaining suspicious of empirical methods of obtaining these details . . . (p. 165).

She also states:

Howe believes that it is possible to recover the marginalized voices of the past, but only when we give up any claims of objectivity (p. 166)

and

Although Howe's project cannot be characterized as entirely anti-narrative, relying as it does on a kind of philosophical-political-poetic quest narrative in the tradition of the twentieth-century long poem, she resists the kind of conventional, closed narrative that has been the preferred form of historical representations of "total history" since the Enlightenment (p. 173).

Innovative Women Poets: An Anthology of Contemporary Poetry and Interviews

contains 14 interviews with American female poets, preceded by brief introductory remarks and with sample poems/poem excerpts appearing after the interview transcripts.

Howe, Scalapino and Berssenbrugge appear in this book also. The other poets are Gloria Evangelina Anzaldúa, Jayne Cortez, Rachel Blau DuPlessis, Kathleen Fraser, Alice Fulton, Barbara Guest, Harryette Mullen, Alice Notley, Alicia Ostriker, Sonia Sanchez and C.D. Wright.

Some excerpts from the interview with American poet Alice Notley, now living in Paris, follow:

. . . *poet* is the world's most underpaid job, but it was years before I caught on that no one respected it anymore either and that hardly anyone really cared if there was poetry in the world or not and that was why it was underpaid. Still, I didn't want to work except for writing and a bit of teaching. I write every day. I read every day.

Living with Doug Oliver [her second husband, who died of cancer] I began to think more about how being poor one doesn't use, or take what the truly poor -- people in sub-Saharan Africa, say--ought to have. I don't feel entitled to more than anyone else's share of the world's money or

goods. Although of course I automatically have that even not having much by our society's standards. . . . I don't feel part of the infernal and illusory machine which churns out jobs, objects, and the walls of the visible world.

. . .

My mother always talked about going into the closet to pray except she quoted Paul. I always liked the idea because it meant I didn't have to bow my head in public with everyone else: I detested public prayer, saluting the flag, and singing the school song

I am not a Christian because I don't believe in god and I detest the idea of the male religious leader and/or model. . .

(in Frost & Hogue, p. 222)

I find out everything I believe through writing. Most of my significant experiences, and most of the things I "realize" and found out through the practice of poetry, specifically during the performance, the literal writing of it. . . .

(p. 224)

My viewpoint is made more complicated by my being here [in Paris], and my response to poetic language is shiftier. Language seems more substantial and less precise, more about texture and presence and less about meaning in terms of individual words. The experience of speaking and hearing French has made all language mysterious to me again.

(p. 225)

. . . I haven't had to read the literary theoreticians/philosophers because I don't teach except for workshops; I escaped having to read them in college, by virtue of my generational placement. I think they're mostly a factor in the university environment. I know what the conversation is like . . . I haven't the slightest interest in what the theory people have to say. I tend to think of them as more men telling me what to think I do an enormous amount of reading of long poems, a lot of reading about Australian aborigines, and ancient Sumer, reading of Sumerian literature, plus books about owls, snakes, etc. . . .

(pp. 227-228)

My brother was in a bad war, because men have believed in war for a long time He got a very bad war, because the military-industrial complex and twentieth century male politics were happening in their particular, very bad ways. So the big question is, how does one change what is happening? There are, I suppose, specific answers at specific points.

. . .

No one wants you to be a poet; in being a poet one is disobeying society's wishes.

(p. 231)

. . . among indigenous peoples, when someone died, when something bad happens, the only thing to do is to sing the world back into creation: start over again at the very beginning. My books always seem to be about trying to find that beginning in order to start over

(p. 235)

An excerpt from Notley's poem Desamere begins:

Overhead at night, above the planet
Identity gone to sleep . . . Look what I've done
End of century, world so human
It may become a desert
Doesn't it feel like one anyway?
Approach a desert then, in a prophecy
An America now and later
Flat and cut with washes
What nondescript hardy little bushes!
In the distance treeless mountains
Then a campfire, someone's here
Small orange-haloed, a flame
People sit around it
Two, man and woman, well-lit
A third standing, distanced from the two,
Tending towards them nervously,
'I dropped the shell' he says,
'But I'm not responsible for the misaim

Someone else set the sights--`

. . .

(in Frost & Hogue, p. 236)

In her interview, poet Anzaldua states:

So the only viable choice for me was lesbianism. In lesbianism there would be some power things--if my lover happened to be white, she would have some privilege; if I was older, I'd have some power--but I had more of a chance to have a meaningful relationship with a woman than I would with a man. This is common sense the women who've become equal to men in terms of power, it's been at a great cost to them, and they negate a lot of stuff. . . .

(in Frost & Hogue, p. 19)

and:

It's almost like the differences in me from other women started at a very early age. When I was three months old, I started menstruating. The effect wasn't just psychological, it was also biological and physical I was marked very early, and it was very painful for me to be so different because I already felt very different because of my race and being a farmworker. In the valley if you worked the fields, you're a much lower Chicana than if you worked in a department store or an office

(p. 22).

Anzaldua's poem "Del otro lado" begins:

She looks at the Border Park fence
posts are stuck into her throat, her navel,
barbwire is shoved up her cunt.
Her body torn in two, half a woman on the other side
half a woman on this side, the right side
And she went to the North American university,
excelled in the Gringo's tongue
learned to file in folders.
But she remembered the other half
strangled in Aztec villages, in Mayan villages, in Incan villages

(in Frost & Hogue, p. 30).

Alicia Ostriker in her interview remarks:

Life consisted of what my family wanted or needed me for and what I was getting paid for. Who cared if I wrote that next poem? . . . It took decades for me to arrive at the confidence to make time for poetry and to identify myself primarily as a poet.

(p. 251)

and:

When I started writing about women's poetry, I bifurcated into scholar mode and critic mode. Scholar mode meant lengthy research, footnotes -- the stance of authority. . . . But you are so constricted in your expression when you're writing a scholarly article. You can be witty but you can't be playful, you can't be passionate, you can't be joyful or sorrowful or angry; you have to crayon inside the lines.

(p. 252)

Simpson's book is a remarkable accomplishment in that it brings together a diverse group of female innovative poets and poetries, and, in fairly accessible language, lucidly and convincingly ties these writers and their works to feminist philosophical strands.

Frost and Hogue's amazing achievement is also in bringing together a variety of innovative female poets-thinkers, whose words in interviews and poem excerpts let them speak for themselves rather than be spoken for, perhaps a relative rarity in the world of literary scholarship.

Both of these books were read with great enthusiasm by this reader and will be returned to repeatedly.

About the reviewer

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Self, Language, Heart---the Textures of Identity: A Personal Essay

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“Home is where the heart is”---it seems to me that language learners seek out where the home is, especially students who go and live outside in order to study the language [ryûgaku] and return to her/his country. In the 2002 French film *L'Auberge Espagnole*, written and directed by Cédric Klapisch, the lead character Xavier (Romain Duris) struggles between his home in France and in Spain, where he learns the language and eventually discovers his new self. I liked the film but this kind of story gives the post-ryûgaku self an aura of ultimate sophistication. What I really want to explore is, what else is gained along with a language? How can I, as a bilingual, really be at home in the world?

In *Bilingual Japanese: Kikoku-shijo 100-nin no Kinou, Kyou, Ashita*, a collection of interviews with ryûgakusei, students who have studied abroad, Machiko Sato pessimistically observes that “the influences that students gained outside Japan gradually fade as time passes” (Sato 100). As in *L'Auberge Espagnole*, the pre-ryûgaku self vanishes when the post-ryûgaku self appears but then, as Sato observes, time passes, and the post-ryûgaku self disappears and in the end, what is left? In-between the languages that express who I am, am I left searching for a tangible individuality? I would hope that the transformation of my interests, self and language, would be more convincing, more enduring.

For quite some time, I have been interested in the cultural and personal location of “in-between” described by Yoko Tawada, the bilingual Japanese and German novelist. Tawada locates herself “in-between” (31) languages and she declares that she is “not so interested in gaining skills in various languages since it takes much more energy to write a novel in a new language [than to try various countries’ teas as a step to cultural communication]” (ibid). Tawada is right. After all, Xavier in *L'Auberge Espagnole* chooses his future as a writer and in a scene of this film, Xavier feels lost between French and Spanish, his two languages. Literacy may directly show the self through language but I am interested in who I am “in-between” languages.

For a few years, I have been enchanted with a young lyricist, named zopp [always written in lower case], famous in Japan for his song “Seishun Amigo [Youthfulness Amigo],” which sold 1.6 million copies, and other hits including “Daite Senorita [Hold Me Senorita]” (2006) and “Kiss ~Kaerimichi no Love Song~ [Kiss ~Love Song of Way Home~]” (2007). Zopp spent his high school and college days in South Dakota and Boston, and his lyrics reflect a keen interest in the mixture of multi-languages. In this essay I would like to discuss some of the ideas about studying language and finding self that developed during a personal interview I had with him.

The Warm-Hearted Lyricist

Back in winter of 2005, a pop song “Seishun Amigo” became a big hit and *The Asahi Shimbun* identified the lyricist of this song as “a 25 year-old man called zopp.” A few months later on February 17, 2006, *Music Station*, one of the most popular television music programs on TV Asahi, did a feature on the lyricist. One of the interesting facts about him was that his song “Seishun Amigo” had been inspired by the

French director Luc Besson's film *Le Grand Bleu* (1988). The idea of zopp's inspiration for his song coming from another creative genre like film seemed thrilling, cultural border crossing, along with his multilingual lyrics, which use Japanese and other languages.

Besides the television feature, several magazines published interview articles with zopp. What caught my attention in one of these interviews was that, when talking about his days in the United States, he said he reconsidered the love from his parents (Kamachi 24). Zopp focused on the most fundamental human elements, common in any language, and I was interested in his hearty perspective.

Zopp is not just a songwriter penning words for others to sing. He also has his own public/private identity, which can be found on his weblog (<http://yaplog.jp/zopp/>). He quite often uploads lengthy blog-entries and passionately reviews his works. He also reads and replies to thousands of fan e-mails. Encouraged by this frank passion, I decided to ask him for an interview and sent a five-page fax to zopp's office. Within a week, zopp himself answered with a big yes for an interview.

In mid September, I interviewed with zopp in Roppongi, the sparkling area in Tokyo where many embassies are found.

I started with questions about his ryûgaku days, and quite humorously, like the boy next door, zopp shared his opinions. My first impression was, absolutely, zopp has the hearty mind and strength, suggested by the lyrics in "Seishun Amigo." His lyrics tell the listener about the value of chasing dreams and, without difficulty, the listener can understand the lyricist's intention. Haruo Chikada, a famous music critic applauds "Seishun Amigo" as a masterpiece, "That this song appeals to our eye is obvious, we can see a visible picture [from the lyrics]" (*The Shûkan Bunshun*).

Quite frankly and methodically, zopp shared his stance on writing songs: "I write lyrics about what I really want to write about. I like to put my thoughts together. I write lyrics for the artists I truly like, with 150 percent of my energy." Indeed, I was able to see a coherent and honest stance, which must have been at the center of his life from childhood.

Zopp's consistent stance blew off Sato's pessimistic observation of a pre and regressive post ryûgaku self. Presuming that zopp's extraordinary inner strength must have allowed him to survive any situation in his ryûgaku days, I asked if he has ever had any fears or worries. At this, the topic turned to his impressions of an American History class at high school in the United States, and his tone of voice changed somewhat:

When the topic in our class was World War II, the class's atmosphere became, like, me versus the rest. In the class I mentioned the fact that in the whole world, Japan was the only one country that had had an atomic bomb dropped on it, and that still there were people continuing to suffer from that. I also mentioned that the American government has not made a statement on this issue for the Memorial Day in Japan. Contrary to the United States, Germany shows a different stance and admits what they did in the war. Therefore, personally, I sensed that there seemed to be 'the supreme America' image inside the school education system in the United States, and this part was the only thing I disagreed with in my high school days.

Indeed, everywhere in this world, everyone knows the value and the difficulty of maintaining peace, and in every country, the task is how the country responds to

historical issues. For example, Japan was not only bombed but also invaded its neighbouring countries and needs to face its own history with honesty.

I should point out that zopp was in Boston on September 11 in 2001, and wrote a song entitled “Yume no Kazu dake Ai ga Umareru [Love is born as much as we dreamed].” The song is about peace and it is based on what he had felt in 2001. Coincidentally, this interview of mine took place six years later on this very date, September 11, 2007.

“Yume no Kazu dake Ai ga Umareru” has a social message which anyone can understand. According to a magazine interview, zopp has been inspired by the famous Irish band U2 (*The Presenters*), and I thought that the strong political messages in U2’s lyrics were key to zopp’s own stance. However, as he explains, it was different:

There are various perspectives on the topic. For example, if the topic is war, there is hope and relief even inside its sadness, especially when someone finds the person whom s/he loves alive, or when someone who has been desperate to know if the person is alive or not, finally knows for sure, even though that certain fact is that the person is not actually alive. I would rather see the fundamental feelings of humans, even inside lyrics with social message.

Just as he focused on human relationships as a ryūgaku student, as a songwriter, zopp continues to prioritize fundamental emotional connections between human beings from a range of linguistic positions and varying situations.

Creativity Guides You to Where the Heart is

When asked about the multilingual texture of his lyrics, such as the title of his hit song which links “seishun” (the Japanese word meaning ‘youthfulness’) and “amigo” (Italian/Spanish for ‘friend’), zopp passionately answered, “I want to break down the Japanese language. Each language has its own colour and multilingual texture colours my lyrics.”

This employment of macaronic text can be found in other Japanese transcultural productions, of course, such as Minae Mizumura’s novel *Shi-Shōsetsu: from Left to Right* [A Private Novel: from Left to Right] (1995). In the novel, the mixture of Japanese and English is everywhere: “Yes, I hear a siren—kikoeruwa, kikoeruwa, I hear a siren in the distance...” (5). This novel seeks out which the home is for her, Japan or the United States---as it turns out, it alternates. If the author were Yoko Tawada, home would not be a choice between here and there; we would also be able to choose “in-between.”

The difference in the two texts might be based on the time difference between the two works---Mizumura’s novel was published in 1995, and Tawada’s appears in 2003. In contrast to Tawada, Mizumura’s novel has a more desperate tone of voice and the readers feel the character’s struggle with the bilingual texture. It is not always easy to feel at home in language, even in one’s native tongue.

How does zopp bridge the identity challenge? Zopp’s lyrics have a base in home and family love. However, this does not mean that the audience hears about nostalgic feelings for home, such as Mizumura describes in her novel. Rather, like Tawada, zopp sounds like he enjoys each language’s colours, fearlessly building his own linguistic constructions and showing his own creativity in the mixture of languages in his lyrics. Zopp makes a connection between his multilingual textual method and his desire to be

original: “If I do not try something different from other people, I would just end up being the same as artists in the past.” This is what the word, “originality” means.

I suppose my interview was also a quest to uncover his originality, seeking out the elements in his personal life that inspired zopp or how he built up his writing style. In the interview, I did not ask, but zopp confessed that he always answers “No” to the question about influences; that is, whether or not a particular lyricist inspired zopp to become a lyricist. Zopp also added, “Quite recently, lyricists gradually started to show up in front of the audience and share what is on our minds.” Nowadays, creative artists cultivate and follow her/his own path, and they are not restrained.

Zopp’s stance is consistent. He expresses love and a hearty bond among human beings, and sees various individualities in each of us, which cannot be domesticated or categorized as merely female, male, multilingual or monolingual.

“Self and language”---it does not occur only in intercultural linguistic encounters; it happens in all our daily lives. As Miho Matsunaga, a translator of German literature says in her essay:

Humans translate in various scenes of life; translate the classic into modern languages, translate local dialects into the standard national language [...] Additionally, the paintings at the museums inspire us and we translate the inspiration into music, also we translate music into the motion picture or dance. Translation is a way of communication that links to interpretation and understanding.

“Understanding” from the ‘various perspectives’ that zopp suggests, brings me a solution to my quest for a tangible self that negotiates in between languages. Love, connecting bonds, and understanding of human beings---I could visually see in my personal interview with zopp that those do not fade away even when time flies fast; these are the fundamental things that illuminate our lives. Zopp’s songs remind us of this and make us believe that life has a bright side, absolutely. Again, I would like to promise myself that I will keep on fearlessly to cultivate my path with my own words and lean further towards the light.

I wish to express my gratitude to zopp, for his beautiful translation of titles of his lyrics into English.

References:

蒲地雄史「高校留学した先輩にインタビュー 『青春アミーゴ』を生み出した作詞家、zoppさん」雑誌『中学・高校留学事典 2007』アルク、2006年。

佐藤真知子『バイリンガル・ジャパニーズ 帰国子女 100人の昨日・今日・明日』人文書院、1999年。

多和田葉子『エクソフォニー 母語の外へ出る旅』岩波書店、2003年。

近田春夫「考えるヒット 第435回」雑誌『週刊文春』2005年12月1日号、文藝春秋社。

藤崎昭子「青春アミーゴ 売れた背景は...」朝日新聞 2005年12月7日付朝刊 25(文化総合)面。

松永美穂「卵を抱きながら。もしくは、くせになる翻訳。」『翻訳者の仕事』岩波新書、2006年。

水村美苗『私小説 from left to right』新潮文庫、1998年(単行本は新潮社より1995年に刊行)。

渡辺史「特集 音楽マーケットの厳しい現実 Chapter 4. 25歳のミリオン作詞家 zopp」雑誌『プレザンテ vol.2』株式会社アートコミュニケーション、2006年2月26日発行。

[Audio Sources]

NEWS『夢の数だけ愛が生まれる』(2005) 作詞：zopp 作曲：Larry Forsberg, Sven-Inge Sjoberg, Lennart Wastesson 編曲：高橋哲也、安部潤

*アルバム『touch』(April 2005)、シングル『TEPPEN』(July 2005) に収録。

修二と彰『青春アミーゴ』(2005) 作詞：zopp 作曲・編曲：Shusui, Fredrik Hult, Jonas Engstrand, Ola Larsson

山下智久『抱いてセニョリータ』(2006) 作詞：zopp 作曲：渡辺未来、真崎修 編曲：前嶋康明

テゴマス『キッス ～帰り道のラブソング～』(2007) 作詞：zopp 作曲：森元康介 編曲：h-wonder

*すべて、ジャニーズ・エンタテイメントより発売。

[Personal Interview]

zopp. Personal interview with Ayano Fukui. Tokyo, September 11, 2007.

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“Women’s Status, Men’s States”: Feminist lawmaker Catharine MacKinnon on the new international human rights law paradigm

By Tina Ottman

“Women’s Status, Men’s States”: Catharine MacKinnon in Japan

- A report of the lecture “Women’s Status, Men’s States”, given by renowned feminist lawyer, activist and international relations scholar Catharine MacKinnon.
- MacKinnon spoke at the Centre of Excellence (CoE) Kyoto University symposium on 6th August 2007; with Okano Yayo, Ritsumeikan University, commentator; and Yokoyama Mika, Kyoto University, moderator.
- The report contains transcriptions from MacKinnon’s readings of her recent work, *Are Women Human* (2006). I have appended current well-known arguments for and against MacKinnon’s position: a critique from feminist academic Judith Butler, support from philosopher Martha Nussbaum, and a different perspective from feminist lawmaker Drucilla Cornell.

The MacKinnon File

- MacKinnon has a BA from Smith College (1968), a JD from Yale Law School (1977) and a PhD in political science from Yale University Graduate School (1987). She was admitted to the Connecticut Bar in 1978 and the Bar of the US Supreme Court in 1986., and has been Professor of Law at the University of Michigan Law School since 1990.
- MacKinnon is an expert on sex equality, and is best known for her pioneering legal work on sexual harassment, which was accepted as a form of sexual discrimination by the US Supreme Court in 1986. She took a similar approach towards pornography, together with the late Andrea Dworkin, campaigning for women’s rights to claim damages under civil rights law. Together they wrote an anti-pornography civil rights ordinance for the Minneapolis city government in 1983; the law was vetoed but eventually passed in Indianapolis, Indiana in 1984. Feminist groups continued to campaign for further passage of the law elsewhere. The Supreme Court of Canada in 1992 partially accepted her positions on pornography, hate speech and equality.
- MacKinnon continues to be at the forefront of litigation, law- and policymaking on women’s human rights, and has represented on a pro bono basis Croatian and Muslim women and children seeking international legal justice for sexual atrocities committed during the “ethnic cleansing” genocide in Serbia (*Kadic v. Karadzic*). Together with co-counsel she won damages \$745 million in August 2000 in this case, which first recognized rape as an act of genocide.
- Her academic publications include *Sex Equality* (2001), *Toward a Feminist Theory of the State* (1989), *Only Words* (1993), *Women’s Lives, Men’s Laws* (2005), and *Are Women Human?* (2006).

On December 10, 2008, the UN Universal Declaration of Human Rightsⁱ will be 60 years old. As a description of what constitutes humanity, and what are the entitlements of human beings, it remains a historic document in the annals of international human rights law (IHRL). But the question asked by feminist lawyer and international relations scholar Catharine MacKinnonⁱⁱ is, are women human yet?

If women were human, would we be a cash crop shipped from Thailand in containers into New York's brothels? Would we have our genitals sliced out to purify us (of what?) and to bid and define our cultures? Would we be used as breeders, made to work without pay our whole lives, burned when our dowry money wasn't enough or when men tired of us, starved as widows when our husbands died if we survived his funeral pyre, forced to sell ourselves sexually because men won't value us for anything else? Would we be sold into marriage to priests to atone for our family's sins or to improve our family's earthly prospects? Would we be sexually and reproductively enslaved? Would we, when allowed to work for pay, be made to work at the most menial jobs and exploited at barely starvation level? Would we be trafficked for sexual use and entertainment worldwide in whatever form current technology makes possible? Would we be kept from learning to read and write?

If women were human, would we have little to no voice in public deliberations and in government? Would we be hidden behind veils and imprisoned in houses and stoned and shot for refusing? Would we be beaten nearly to death, and to death, by men with whom we are close? Would we be sexually molested in our families? Would we be raped in genocide to terrorize

and destroy our ethnic communities, and raped again in that undeclared war that goes on every day in every country in the world in what is called peacetime? If women were human, would our violation be *enjoyed* by our violators? And, if we were human, when these things happened, would virtually nothing be done about it?ⁱⁱⁱ

That is a shocking portrayal of women's sub-human status – but MacKinnon,^{iv} who is renowned for introducing sexual harassment legislation to the workplace, and for her controversial anti-pornography activism with Andrea Dworkin, claims that there is nevertheless hope of promotion up the ranks. A new model of human rights is in the making, one which is transforming the international human rights legal paradigm. It features women's resistance to inhumanity; it will not allow for the denial of sex-specific violations, because overcoming the denial of atrocities is “the path to becoming human,” which MacKinnon takes to be a normative social status.

Reforming the system has been hampered by the fact that states are essentially “demographically male” (i.e. their political systems are male-dominated). Referring back to her 1989 work, *Towards a Feminist Theory of the State*,^v MacKinnon asked, “What in gendered terms is the role of international law?” Can the international system, including international law, provide a counterbalance to the male state? Is it a restraining force, or is it merely “meta-male”? Does the international order, especially IHRL, challenge states' behaviour, or does it reproduce and reinforce it?

Two opposing strands need to be taken into account when considering the question: the existence of a so-called “democratic deficit” in the international system, and the perception that we are witnessing the decline or death of state power. In the case of the former, opponents of the discourse of the “subaltern theory”^{vi} --and others who support the institution of the state-- allege that state democratic institutions are more effective than international ones, a claim that MacKinnon regards as “questionable” given the “backwardness” of male states. In the case of the latter, a multiplicity of transnational forces such as globalisation, religion and multinational corporations suggest that the state is an outmoded concept. And rising from the ashes of state collapse is women's global consciousness of their fully human status.^{vii}

However male power, too, has long been a transnational force, as MacKinnon dryly observes; and indeed, both these two strands of thought may cause us to overlook the effects of gender as a transnational, top-down dynamic of male-female oppression. The effects of male dominance are to be found, according to MacKinnon, in the “quintessentially male” distinction of public and private; in the naturalization of the dominance versus difference discourse, and its equally misleading Aristotelian amelioration of equating “likes” with “unlikes”, which in any case “does not produce true equality”, since “equality does mean sameness”; and in hiding coercion behind “consent”, obscuring politics behind “morality” (which she defined as *something which seems like a good idea*). In particular, hiding coercion behind consent assumes women's freedom – in the sexual context – but “free” does not mean equal, MacKinnon observes.

Yet despite the systemic preference for the national system over international jurisdiction, women, from bottom up, are “challenging male global dominance” according to MacKinnon. Since civil rights are often “what men think they need to protect them from other men”, women's best legal hope for address of domestic injuries may be to appeal to men who are “outside ... more spatially distant from men at home,

where they are most often violated”. Rape, for example, may be prosecuted as a collective crime. She cited examples of successful women’s resistance through international jurisdictional pressure in former Yugoslavia, whereby witnesses and women’s groups got the International Criminal Tribunal for the Former Yugoslavia (ICTY) to include charges of sexual violence in the indictment of former Yugoslav president Slobodan Milosevic (2001)^{viii}, and the prosecution by the International Criminal Tribunal for Rwanda (ICTR) of former mayor Jean-Paul Akayesu, who on October 2, 1998 received three life sentences for crimes against humanity and genocide, plus an additional 80 years for rape and encouraging widespread sexual violence.^{ix} Thus sexual violation is not merely the “ground zero” or ultimate challenge to the law in its male incarnation, because according to male rules it is considered to belong to the private domain; yet it is *public*, and as such, affects public order, and enacts dominance. It is most often rationalised as consensual, but it is coerced; and though endlessly moralized about, it is actually sexually political.

Formal equality

The limitations of “formal equality” have produced considerable feminist debate. In the U.S. in particular, “formal equality” has often clashed with “difference feminism” on grounds of equality and freedom. Fellow lawyer, activist, political scientist and philosopher Drucilla Cornell has sought to reconcile these positions through works such as *The Imaginary Domain*.^x

While MacKinnon campaigns for formal equality, she admits that it does not necessarily produce equality in practice, despite substantive equality conventions, such as the recent “Palermo Protocols”,^{xi} and considerable legal advances in countries such as Canada, South Africa and Sweden. India, for example, may guarantee constitutional equality, but we do not necessarily think of it as a country of optimum conditions for women. Nor is all IHRL sound on women’s issues; surprisingly, MacKinnon takes issue with the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),^{xii} for its preamble, wherein sex equality is argued to be a “good idea” – the much-disparaged morality argument of which she is highly critical.

Although, MacKinnon avers, the generally progressive climate has made it “unacceptable for all countries to profess or practice discrimination” even if they continue to do so behind closed doors; and there is “unanimous condemnation” of violent subordination of women by men. Sex and ethnicity are at the core of humanity; it is becoming increasingly difficult to dismiss them as peripheral. As for the arguments of cultural relativism that may require women’s equality to take a back seat or an unrecognisable form in certain cultures, MacKinnon dismisses them emphatically: *feminism and the desire for equality are indigenous to all women*.

Morality and politics axis

Returning to her demolition of the “moral argument” for sex equality, MacKinnon disparages the tendency to see it as a “nice idea”. Such nice ideas “impede progress worldwide”. Calling something “harmful” is far more powerful than describing it as morally “wrong”.^{xiii} Patriarchy is *harmful*. The normalization of oppression is *harmful*. For MacKinnon, it is a matter of the law taking a clear-eyed approach to fundamental inequity, so that there can be no blurring of the distinction that what is *coerced*—for example the issues of prostitution and pornography—has been *chosen*. And, since

gender hierarchy as a global system takes diverse forms all over the world, she has no problem with thorny issues such as FGC/FGM (female genital cutting; female genital mutilation); as harmful practices, they are not open to cultural defence, unlike the values inscribed in moral judgment itself. Once the arguments of cultural relativism are employed to defend aspects of what she considers to be women's oppression, they transform that oppression into "a cultural universal or a cultural particularity", meaning that "nothing can or should be done about it".

In this context international institutions are likely to be far more democratic towards women's issues than states, those sites of cultural oppression. Non-state arenas present a forum for resistance, and the deepest changes may take place there, according to MacKinnon's neofunctionalist position. One reason for this, she suggests, is distance. It "attenuates the male bond" and "enhances what men call objectivity." It has taken her 30 years to figure out what men call objectivity, says MacKinnon: it means that "they do not identify with the men involved, so they can be fair".

The events of 9/11, moreover, have enhanced the prominence of non-state actors, showing that they have power in ways that governments are "suddenly interested in thinking about". They can be remedial or aggressive; they may also be perpetrators of violence, or victims; likewise the nature of the offence can be group-based; and civil society may contain both representations of the problem and also routes to its solution, while civil remedies have been shown to be more transformative and restorative than criminal approaches alone.

In this vein, MacKinnon's *Are Women Human?* concludes with a piece entitled "Women's September 11th", citing the statistics that a similar number of women are killed annually by men in the U.S. as those people who perished in the attack on Twin Towers (around 2,800 to 3,000). Yet no "surge" was launched to protect those women, although for her such violence constitutes a kind of *casus belli*. Perhaps, given Bush's current catastrophe, it is just as well; nothing could further illustrate the adage that war only breeds more war. Deeming men to be the axis of evil is unlikely to bring peaceful resolution to gender conflict. On this MacKinnon is known to concur:

I think about the question of violence and war that it is a sort of the ultimate male tool. And whether that means it will work in our hands or not, I'm not sure. But I really do think that most women have decided not only that they don't want to do it, but that it wouldn't work.^{xiv}

Critiques

Finally, the transformative limits of the justice system and of state power are where MacKinnon and many feminist theorists and post feminists are said to have taken a different stance, as Stuart Jeffries noted in a 2006 interview:^{xv}

Camille Paglia, for instance, charges that MacKinnon and her late collaborator Andrea Dworkin are responsible for "totalitarian excesses" in sexual harassment regulations and that their "nightmarish sexual delusions" have invaded American workplaces and schools and warped their views on pornography. Naomi Wolf branded her a "victim feminist". "Victim feminism," claims Wolf, "urges women to identify with powerlessness, even at the expense of taking responsibility for the power they do possess." In *The*

Morning After, Katie Roiphe wrote that MacKinnon had an "image of woman as child" and attacked her for allegedly portraying all women as potential victims and all men as potential predators. Others have called her a fascist proponent of sexual correctness.

MacKinnon is considered to be "old school" by those who favour deconstructionist positions taken by feminist scholars such as Judith Butler. In an interview with Peter Osborne and Lynne Segal, Butler comments that merely seeking social change to end patriarchy may prove to be a somewhat blunt instrument:

Catharine MacKinnon has become so powerful as the public spokesperson for feminism, internationally, that I think that feminism is going to have to start producing some powerful alternatives to what she's saying and doing - ones that can acknowledge her intellectual strength and not demonise her, because I do think there's an anti-feminist animus against her, which one should be careful not to encourage. Certainly, the paradigm of victimization, the over-emphasis on pornography, the cultural insensitivity and the universalisation of "rights" - all of that has to be countered by strong feminist positions.

What's needed is a dynamic and more diffuse conception of power, one which is committed to the difficulty of cultural translation as well as the need to rearticulate "universality" in non-imperialist directions. This is difficult work and it's no longer viable to seek recourse to simple and paralysing models of structural oppression.^{xvi}

For this MacKinnon has her answer too. Discussing Butler's *Gender Trouble*, which analyses the performative nature of gender-as-act, she has said in interview:

... It's all just about a self presentation, anyway. And also there is no organized, social reality of oppression out there that requires confrontation and change. So of course that makes it very acceptable. And especially when you called it feminism, then everyone has the impression that they can be suddenly very avant-garde and progressive, while doing nothing about it, because it's all just in play, it's just a game. It's very status quo defined. There are people who are in essence in love with gender, from whom male dominance is not a real and oppressive system, talking about it that way maintains it just the way it is, which accounts for why it's beloved, especially by people in power who then go tell everybody what they should love.

... Judith Butler ET al. - they're just voices for a certain kind of misogyny and denial. They're not creating the problem; they are useful and they're in the way. But let's talk about the pornographers; let's talk about the international sex traffickers; let's talk about the rapists; let's talk about the sexual harassers. THEY are the problem.^{xvii}

And MacKinnon still has her supporters, philosopher Martha Nussbaum for one, who in a noted *New Republic* article, "The Professor of Parody"^{xviii}, has charged Butler with obscurantism and professing "verbal and symbolic politics". We know she is talking about Butler and the postmodernists when she says:

Feminist thinkers of the new symbolic type would appear to believe that the way to do feminist politics is to use words in a subversive way, in academic publications of lofty obscurity and disdainful abstractness. These symbolic gestures, it is believed, are themselves a form of political resistance; and so one need not engage with messy things such as legislatures and movements in order to act daringly.

And indeed later Nussbaum names her, in no uncertain terms, as she takes out the hatchet:

One American feminist has shaped these developments more than any other. Judith Butler seems to many young scholars to define what feminism is now. Trained as a philosopher, she is frequently seen (more by people in literature than by philosophers) as a major thinker about gender, power, and the body. As we wonder what has become of old-style feminist politics and the material realities to which it was committed, it seems necessary to reckon with Butler's work and influence, and to scrutinize the arguments that have led so many to adopt a stance that looks very much like quietism and retreat.

In contrast, says Nussbaum, "One cannot read a page of Catharine MacKinnon, for example, without being engaged with a real issue of legal and institutional change." Feminists may not agree on how to improve the lot of women, but none differ on the extent of the injustice that is wrought on women, and most concur that "law and political action can make them more nearly just." She appreciates MacKinnon's no-nonsense depiction of "hierarchy and subordination as endemic to our entire culture" and her "cautious optimism" regarding the possibilities of improvement in women's situation through the law, particular through domestic rape laws, sexual harassment legislation and IHRL.

For all of us, cautious optimism sounds like a preferred state, and one certainly worth defending.

i The text of the UN Universal Declaration of Human Rights can be found at the UN's website

<http://www.un.org/Overview/rights.html> (including a link to other languages).

ii For a biography and bibliography, see MacKinnon's faculty page at the University of Michigan's Law School

http://cgi2.www.law.umich.edu/_FacultyBioPage/facultybiopagenew.asp?ID=219

iii *Are Women Human?: And Other International Dialogues*, Catharine MacKinnon. Cambridge: The Belknap Press of Harvard University Press, 2006. This extract "Are Women Human? Reflections on the Universal Declaration of Human Rights 171" retrieved on 3 September 2007 from <http://www.nostatusquo.com/ACLU/MacKinnon/mackin1.html>

iv For a biography and bibliography, see MacKinnon's faculty page at the University of Michigan's Law School

http://cgi2.www.law.umich.edu/_FacultyBioPage/facultybiopagenew.asp?ID=219

v *Toward a Feminist Theory of the State*, Catharine MacKinnon. Cambridge: Harvard University Press, 1989.

vi "Subaltern theory takes the perspective of the "Other" as the one who has had no voice because of race, class, or gender.

This theory is based on deconstruction as Derrida has proposed it. It emphasizes that norms are established by those in power

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- and imposed on the "Other." Retrieved on 3 September 2007 from the website Dear Habermas/ Theory Multiple Choice <http://www.csudh.edu/dearhabermas/theorymp02.htm>
- vii Putting the end-of-days cataclysmic post-911 argument of those who argue against the dissolution of the state system, commentator Okano Yayo recalled a quotation from Jean Elshtain's *Just War Against Terror* (Basic Books: 2003): "When states fall, we approach something like the nightmare of Thomas Hobbes' war of all against all".
- viii "Charging Sexual Violence Against Milosevic"; "The Furundzija Case: Disclosure of Rape Witness' Medical Records", website of the Coalition of Women's Human Rights in Conflict Situations, retrieved on 3 September 2007 from http://www.womensrightscoalition.org/site/advocacyDossiers/formerYugoslavia/index_en.php . "Women's Groups Congratulate ICTY on Charges of Sexual Violence Against Slobodan Milosevic", website of the Coalition of Women's Human Rights in Conflict Situations, retrieved on 3 September 2007 from http://www.womensrightscoalition.org/site/newsReleases/2001-10-yugo_en.php
- ix "RWANDA: Akayesu Sentencing a Victory for Women's Rights", website of the Coalition of Women's Human Rights in Conflict Situations, retrieved on 3 September 2007 from http://www.womensrightscoalition.org/site/newsReleases/1998-10-rwanda_en.php
- x Cornell argues for the "imaginary domain," where one may re-imagine "who one is and who one seeks to become". The law should secure an equivalent opportunity for all, women and men, to transform themselves into people, the best they can become. Yet legal decisions and cultural debates have never reached satisfactory conclusions on questions of privacy and rights when freedom and equality are ranged against each other, for example, in the case of *Roe v. Wade*, which permitted rights for women to obtain legal abortions on grounds of privacy, but then attempted to overturn those rights. If the protection of the imaginary domain is the legal argument, then legislation that prevents women from access to abortion or information cannot be deemed justice. *The Imaginary Domain: Abortion, Pornography and Sexual Harassment*. New York: Routledge, 1995.
- xi The "Palermo Protocols" include the 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children http://www.unodc.org/unodc/en/trafficking_human_beings.html
- xii Convention of the Elimination of All Forms of Discrimination Against Women, retrieved on 3 September 2007 from <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>
- xiii Commentator Okano Yayo notes that Cornell departs from MacKinnon in her approach to this. "Feminism has at its heart the demand that women be treated as free human beings. We claim the right to be included in the moral community of persons as an initial matter," writes Cornell in *At the Heart of Freedom: Feminism, Sex, and Equality*. Princeton: Princeton Univ. Press 1998.
- xiv "Interview with Catharine A. MacKinnon: «They haven't crushed me yet»" by Catharine Albertini and Emily Blake, July 3rd, 2005. Retrieved on 3 September 2007 from http://www.sisyph.org/article.php?id_article=2001
- xv "Are women human?" by Stuart Jeffries. The Guardian, Wednesday April 12, 2006. Retrieved on 3 September 2007 from <http://www.guardian.co.uk/gender/story/0,,1751983,00.html>
- xvi London, 1993: «Extracts from Gender as Performance: An Interview with Judith Butler.» Retrieved on 3 September 2007 from <http://www.theory.org.uk/but-int1.htm>
- xvii "Interview with Catharine A. MacKinnon: «They haven't crushed me yet»" by Catharine Albertini and Emily Blake, op. cit.
- xviii "The Professor of Parody" by Martha Nussbaum. Post date 11.28.00 | Issue Date 02.22.99. The New Republic Online ("TheNewRepublic.com") <http://www.tnr.com/index.mhtml>. Retrieved on 3 September 2007 from <http://www.akad.se/Nussbaum.pdf>